

Jun 07, 2019

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEAN F. MCAVOY, CLERK

DAYVIN KNEMEYER,

Plaintiff,

v.

CHERI PODRUZNY, LESLIE
LAMKIN, and DOES 1–20,

Defendants.

No. 2:19-cv-00108-SMJ

**ORDER DENYING CONSTRUED
MOTIONS FOR DEFAULT
JUDGMENT**

Before the Court, without oral argument, are Plaintiff Dayvin Knemeyer's construed motions for default judgment against Defendants Cheri Podruzny, ECF No. 9, and Leslie Lamkin, ECF No. 10. Defendants oppose the motions. ECF No. 11.

Plaintiff states in both motions, which are identical in substance, that Defendants failed to respond to his “‘Verified Complaint’ with an ‘Verified Answer’ that is Complete with Facts and Evidential Support, Properly Verified, and Personally Signed within the 21 days required by law, so [he is] filing a Judgement by Default.” ECF Nos. 9, 10.

ORDER DENYING CONSTRUED MOTIONS FOR DEFAULT JUDGMENT -

1 However, the docket plainly shows that Defendants Leslie Lamkin and Cheri
2 Podruzny did file an answer on April 25, 2019. ECF No. 5. As they were served on
3 April 9, 2019 and April 12, 2019, respectively, their responsive pleading is timely.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. Plaintiff's construed motions for default judgment, **ECF Nos. 9 & 10**,
6 are **DENIED**.

7 2. Plaintiff is advised that he need not file separate documents for each
8 Defendant if the substance is the same. Moreover, any filings should
9 have the caption of the matter as shown on the first page of this Order,
10 a clear indication of the requested relief, and the legal authority
11 supporting the requested relief.

12 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
13 provide copies to *pro se* Plaintiff and defense counsel.

14 **DATED** this 7th day of June 2019.

15 
16 SALVADOR MENDEZA, JR.
17 United States District Judge